

**AMENDMENT TO H.R. 5658, AS REPORTED
OFFERED BY MR. SKELTON OF MISSOURI, MR.
BERMAN OF CALIFORNIA, AND MRS. LOWEY
OF NEW YORK**

At the end of title X, add the following new section:

1 **SEC. 1071. STANDING ADVISORY PANEL ON IMPROVING IN-**
2 **TEGRATION BETWEEN THE DEPARTMENT OF**
3 **DEFENSE, THE DEPARTMENT OF STATE, AND**
4 **THE UNITED STATES AGENCY FOR INTER-**
5 **NATIONAL DEVELOPMENT ON MATTERS OF**
6 **NATIONAL SECURITY.**

7 (a) **ESTABLISHMENT OF ADVISORY PANEL.**—The
8 Secretary of Defense, the Secretary of State, and the Ad-
9 ministrator of the United States Agency for International
10 Development shall jointly establish an advisory panel to
11 review the respective roles and responsibilities of the De-
12 partment of Defense, the Department of State, and the
13 United States Agency for International Development in
14 the national security collaborative system.

15 (b) **MEMBERSHIP.**—

16 (1) **COMPOSITION.**—The advisory panel shall be
17 composed of 12 members, of whom—

1 (A) three shall be appointed by the Sec-
2 retary of Defense, in consultation with the Sec-
3 retary of State and the Administrator;

4 (B) three shall be appointed by the Sec-
5 retary of Defense, in consultation with the
6 Chairman of the Joint Chiefs of Staff, the Sec-
7 retary of State, and the Administrator;

8 (C) three shall be appointed by the Sec-
9 retary of State, in consultation with the Sec-
10 retary of Defense and the Administrator; and

11 (D) three shall be appointed by the Admin-
12 istrator, in consultation with the Secretary of
13 Defense and the Secretary of State.

14 (2) CHAIRMAN.—The Secretary of Defense, the
15 Secretary of State, and the Administrator shall
16 jointly designate one member as chairman.

17 (3) VICE CHAIRMAN.—The Secretary of De-
18 fense, the Secretary of State, and the Administrator
19 shall jointly designate one member as vice chairman.
20 The vice chairman may not be a member appointed
21 to the advisory panel under paragraph (1) by the
22 same Secretary or Administrator that appointed the
23 chairman to the advisory panel under paragraph (1).

24 (4) EXPERTISE.—Members of the advisory
25 panel shall be private citizens of the United States

1 with national recognition and significant experience
2 in the Federal Government, the Armed Forces, pub-
3 lic administration, foreign affairs, or development.

4 (5) DEADLINE FOR APPOINTMENT.—All mem-
5 bers of the advisory panel shall be appointed not
6 earlier than January 20, 2009, and not later than
7 March 20, 2009.

8 (6) TERMS.—The term of each member of the
9 advisory panel is for the life of the advisory panel.

10 (7) VACANCIES.—A vacancy in the advisory
11 panel shall be filled not later than 30 days after
12 such vacancy occurs and in the manner in which the
13 original appointment was made.

14 (8) SECURITY CLEARANCES.—The appropriate
15 departments or agencies of the Federal Government
16 shall cooperate with the advisory panel in expedi-
17 tiously providing to the members and staff appro-
18 priate security clearances to the extent possible pur-
19 suant to existing procedures and requirements, ex-
20 cept that no person shall be provided with access to
21 classified information under this section without the
22 appropriate security clearances.

23 (9) STATUS.—A member of the advisory board
24 who is not otherwise employed by the Federal Gov-
25 ernment shall not be considered to be a Federal em-

1 ployee, except for the purposes of chapter 81 of title
2 5, United States Code, and chapter 171 of title 28,
3 United States Code.

4 (10) EXPENSES.—The members of the advisory
5 panel shall be allowed travel expenses, including per
6 diem in lieu of subsistence, at rates authorized for
7 employees of agencies under subchapter I of chapter
8 57 of title 5, while away from their homes or regular
9 places of business in the performance of services for
10 the advisory panel.

11 (c) MEETINGS AND PROCEDURES.—

12 (1) INITIAL MEETING.—The advisory panel
13 shall conduct its first meeting not later than 30 days
14 after the date that all appointments to the advisory
15 panel have been made under subsection (b).

16 (2) MEETINGS.—The advisory panel shall meet
17 not less often than once every three months. The ad-
18 visory panel may also meet at the call of the Sec-
19 retary of Defense, the Secretary of State, or the Ad-
20 ministrator.

21 (3) PROCEDURES.—The advisory panel shall
22 carry out its duties under procedures established
23 under subsection (d).

24 (4) NONAPPLICABILITY OF FEDERAL ADVISORY
25 COMMITTEE ACT.—The Federal Advisory Committee

1 Act (5 U.S.C. App.) shall not apply to the advisory
2 panel.

3 (d) SUPPORT OF FEDERALLY FUNDED RESEARCH
4 AND DEVELOPMENT CENTER.—

5 (1) IN GENERAL.—The Secretary of Defense, in
6 consultation with the Secretary of State and the Ad-
7 ministrator, shall enter into a contract with a feder-
8 ally funded research and development center for the
9 provision of administrative and logistical support
10 and assistance to the advisory panel in carrying out
11 its duties under this section. Such support and as-
12 sistance shall include the establishment of the proce-
13 dures of the advisory panel under subsection (c)(3).

14 (2) DEADLINE FOR CONTRACT.—The Secretary
15 of Defense shall enter into the contract required by
16 this subsection not later than 60 days after the date
17 of the enactment of this Act.

18 (e) DUTIES OF PANEL.—

19 (1) The advisory panel shall analyze the roles
20 and responsibilities of the Department of Defense,
21 the Department of State, and the United States
22 Agency for International Development regarding—

23 (A) stability operations;

24 (B) non-proliferation;

1 (C) foreign assistance (including security
2 assistance);

3 (D) strategic communications;

4 (E) public diplomacy;

5 (F) the role of contractors; and

6 (G) other areas the Secretary of Defense,
7 the Secretary of State, and the Administrator
8 consider appropriate.

9 (2) In providing advice, guidance, and rec-
10 ommendations to improve the national security col-
11 laborative system, the advisory panel shall review—

12 (A) the structures and systems that coordi-
13 nate policy-making;

14 (B) the roles and responsibilities of the de-
15 partments and agencies of the Federal Govern-
16 ment involved in the national security collabo-
17 rative system;

18 (C) integrating the expertise of the depart-
19 ments and agencies of the Federal Government
20 involved in the national security collaborative
21 system; and

22 (D) coordinating personnel assigned
23 abroad as part of the national security collabo-
24 rative system.

1 (f) COOPERATION OF OTHER AGENCIES.—Upon re-
2 quest by the advisory panel, any department or agency of
3 the Federal Government shall provide information that the
4 advisory panel considers necessary to carry out its duties.

5 (g) REPORTS.—

6 (1) INTERIM REPORT.—

7 (A) Not later than 180 days after the first
8 meeting of the advisory panel, the advisory
9 panel shall submit to the Secretary of Defense,
10 the Secretary of State, and the Administrator,
11 a report that identifies—

12 (i) aspects of the national security col-
13 laborative system that should take priority
14 during the improvement of integration be-
15 tween the Department of Defense, the De-
16 partment of State, and the United States
17 Agency for International Development; and

18 (ii) methods to better integrate the
19 national security collaborative system.

20 (2) ANNUAL REPORT.—

21 (A) Not later than December 31 of each
22 year, the advisory panel shall submit to the Sec-
23 retary of Defense, the Secretary of State, and
24 the Administrator, a report on—

25 (i) the activities of the advisory panel;

- 1 (ii) any deficiencies in the national se-
2 curity collaborative system;
3 (iii) any improvements made to the
4 national security collaborative system;
5 (iv) methods to better integrate the
6 national security collaborative system; and
7 (v) such findings, conclusions, and
8 recommendations as the advisory panel
9 considers appropriate.

10 (3) SUBMISSION OF REPORT TO CONGRESS.—

11 The Secretary of Defense, the Secretary of State,
12 and the Administrator shall submit to the appro-
13 priate committees of Congress the reports under this
14 subsection and any additional information consid-
15 ered appropriate.

16 (4) CONGRESSIONAL BRIEFINGS.—Not later
17 than 30 days after the submission of each report
18 under this subsection, the advisory panel shall meet
19 with the appropriate committees to brief such com-
20 mittees on the matters contained in the report.

21 (5) APPROPRIATE COMMITTEES.—For the pur-
22 poses of this subsection, the appropriate committees
23 of Congress are the following:

1 (A) The Committees on Foreign Relations,
2 Armed Services, and Appropriations of the Sen-
3 ate.

4 (B) The Committees on Foreign Affairs,
5 Armed Services, and Appropriations of the
6 House of Representatives.

7 (h) TERMINATION OF ADVISORY PANEL.—The advi-
8 sory panel shall terminate on September 30, 2013.

9 (i) DEFINITIONS.—In this section:

10 (1) ADMINISTRATOR.—The term “Adminis-
11 trator” means the Administrator of the United
12 States Agency for International Development.

13 (2) NATIONAL SECURITY COLLABORATIVE SYS-
14 TEM.—The term “national security collaborative sys-
15 tem” means the structures, mechanisms, and proc-
16 esses by which the Department of Defense, the De-
17 partment of State, and the United States Agency for
18 International Development coordinate and integrate
19 their policies, capabilities, expertise, and activities to
20 accomplish national security missions overseas.

21 (3) STABILITY OPERATIONS.—The term “sta-
22 bility operations” means stability and reconstruction
23 operations conducted by departments or agencies of
24 the Federal Government described by Department of
25 Defense Directive 3000.05, National Security Presi-

- 1 dential Directive 1, or National Security Presidential
- 2 Directive 44.

